

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

WEDNESDAY, THE EIGHTH DAY OF APRIL,

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

IA No. 3 OF 2026

IN

CRLRC NO: 317 OF 2026

Between:

Alla Rajesh Kumar Reddy, S/o. Narayana Reddy, Aged 38 years, R/o.

Chillakur Village and Post, Chillakur Mandal, SPSR Nellore District.

...Petitioner/Appellant/Accused

(Petitioner in CRLRC 317 OF 2026

on the file of High Court)

AND

1. Nellore Prabhakar Reddy, S/o. Shankar Reddy, Aged 55 years, R/o.

Chillakur Village and Post, Chillakur Mandal, SPSR Nellore District

...Respondent/Respondent/Complainant

2. The State of Andhra Pradesh, Rep.by Public Prosecutor, High Court
at Amaravati

...Respondent

(Respondents in-do-)

Counsel for the Petitioner : SRI KAMBHAMPATI RAMESH BABU

Counsel for the Respondent No.2: PUBLIC PROSECUTOR

Petition under Section 397(1) of Cr.P.C r/w 438(1) of BNSS, 2023 is filed praying that in the circumstances stated in the memorandum of grounds of criminal revision case, the High Court may be pleased to suspend the conviction and sentence order dated 30.01.2023 passed in C.C. No. 70 of 2017 on the file of the Judicial Magistrate of I Class, Gudur,

as confirmed by order dated 26.11.2025 passed in Criminal Appeal No. 27 of 2023 on the file of the VII Additional Sessions Judge, Gudur, SPSR Nellore District, pending disposal of CRLRC No.317 of 2026, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

This Interlocutory Application under Section 438(1) of BNSS, 2023 has been filed by the Petitioner/Accused seeking to suspend the sentence imposed *vide* Judgment dated 30.01.2023 passed in CC No.70 of 2017 on the file of the Court of Judicial Magistrate of I Class, Gudur, which is confirmed *vide* Judgment dated 26.11.2025 passed in Crl.A.No.27 of 2023 on the file of the Court of VII Additional District and Sessions Judge, Gudur, SPSR Nellore District, pending disposal of the criminal revision.

Heard Sri Kambhampati Ramesh Babu, learned counsel for the Petitioner and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor appearing for respondent State.

Learned counsel for the Petitioner/Accused would submit that, the Petitioner has merits to succeed in the revision and it may take considerable time for disposal of the same. Hence, prayed to suspend the sentence of imprisonment imposed against the Petitioner pending disposal of the criminal revision case.

Learned Assistant Public Prosecutor is in attendance.

Considering the submissions made and having regard to the facts narrated in the accompanying affidavit, as the Petitioner preferred the present revision challenging the concurrent findings of

the trial Court as well as the Appellate Court, and the hearing of the revision may take considerable time, this Court is suspending the sentence of imprisonment imposed against the Petitioner/Accused on the following terms.

Accordingly, IA No.3 of 2026 is allowed and the Petitioner/Accused is directed to surrender before the concerned Trial Court and on such surrender, the concerned Trial Court is directed to release the Petitioner/Accused on bail on execution of a personal bond for Rs.20,000/- (Rupees Twenty thousands only) with two sureties for the like sum each to the satisfaction of the learned trial Judge.

The Petitioner shall deposit 50% of the Ex.P1 Cheque amount before the trial Court, within a period of two weeks from the date of his release.

Petitioner shall appear before this Court as and when directed.

//TRUE COPY//

SD/- P.VINOD KUMAR
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The VII Additional Sessions Judge, Gudur, SPSR Nellore District.
2. Nellore Prabhakar Reddy, S/o. Shankar Reddy, R/o. Chillakur
Village and Post, Chillakur Mandal, SPSR Nellore District (by **RPAD**)
3. One CC to Sri. Kambhampati Ramesh Babu, Advocate [OPUC]
4. One CC to Sri. Y.L.Siva Kalpana Reddy, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy

HIGH COURT

Dr.VJP,J

DATED:08/04/2026

LIST THE MATTER AFTER THREE WEEKS

ORDER

IA.No.3 OF 2026

IN

CRLRC.No.317 of 2026



DIRECTION